This application has been reviewed in light of the Office Action dated June 15, 2006. Claims 1-20 are presented for examination, of which Claims 1 and 11 are in independent form. Claims 1 and 11 have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2005/0283435 (*Mobed et al.*).

Applicants point to Claim 1, which is directed to a system for automatically establishing a merchant account for transaction card usage including a transaction card issuer/processor configured "to receive from an agent a merchant application for registration with the transaction card issuer/processor, wherein the application is completed on behalf of the merchant by the agent" and "to provide to the agent at least one of an approval and denial notification through the central hub". The transaction card issuer/provider is further configured "to provide to the agent a report related to at least one registered merchant, wherein the at least one registered merchant was registered with the transaction card issuer/processor by the agent," as recited in Claim 1. By virtue of the features of Claim 1, a transaction card issuer/processor can receive <u>merchant account applications</u> from agents in a usable form such that the decision to approve or deny the merchant request can be accomplished quickly. In addition, reports relating to a particular agent's registered merchants can be communicated to the agents.

Mobed et al., as understood by Applicants, is directed to credit card acquisition systems in which a single intermediary facilitates transactions between a

plurality of vendors and one or more credit card issuers. *Mobed et al.* recites at paragraphs

52-53:

> If the credit card issuer 360 approves the credit card
> application, notification of the acceptance of the application
> is preferably sent back to the intermediary system 340
> either instantly (within thirty seconds) or within 10-14 days.
> <u>In short, the intermediary 340 manages the relationship
> between the vendor 320 and the credit card issuer 360. The
> intermediary 340 periodically sends a report listing all of
> the customers who are enrolled in the membership program
> and/or have successfully obtained a vendor-sponsored
> credit card.</u> For example, a paper or electronic report may
> be sent to each dealer on a monthly basis, but that
> information is also preferably accessibley [sic] on-line from
> a web page controlled by the intermediary. Again,
> information about a certain customer is preferably only
> accessible from a computer with a HASP identifier that
> corresponds to the vendor that sponsored the card for the
> customer.

> <u>The present invention includes the ability to obtain on-line
> instant approval for the vendor-sponsored credit card.</u> Once
> the authorized vendor employee (or other authorized
> vendor representative) enters the electronic application to
> the intermediary URL site and the intermediary 340
> forwards the information to the credit card issuer 360, the
> credit card issuer may provide an on-line instant approval
> for the application...

(emphasis added). Apparently, the intermediary of the *Mobed et al.* system manages the

relationship between the vendor and the credit card issuer with respect to the <u>customers</u>

who apply or have applied for a credit or membership cards at a point-of-sale associated

with a vendor that sponsors the credit card. And it is the vendor who transmits the

application to the intermediary, which in turn converts the data to a format acceptable to a

credit card issuer and sends the application to the credit card issuer.

Nothing has been found in *Mobed et al.* that is believed to teach or suggest a transaction card issuer/processor configured to "receive from an agent <u>a merchant application for registration with the transaction card issuer/processor</u>, wherein the application <u>is completed on behalf of the merchant by the agent</u>", "provide to the agent at least one of an approval and denial notification through the central hub" and "provide to the agent a report related to at least one registered merchant, wherein the at least one registered merchant was registered with the transaction card issuer/processor by the agent," as recited in Claim 1 (emphasis added).

Accordingly, Applicants submit that Claim 1 is patentable over *Mobed et al.*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(e).

Independent Claim 11 includes features similar to that discussed above with respect to Claim 1. Therefore, Claim 11 also is believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or the other of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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